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Security Council

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Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 2 May 2008 from the Permanent Mission of Finland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Finland to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 and, referring to paragraph 13 of Security Council resolution 1803 (2008) and the note verbale dated 27 March 2008, has the honour to communicate the following information to the Committee concerning the implementation in Finland of the United Nations sanctions against Iran.

In its letters dated 20 February 2007 (S/AC.50/2007/19) and 24 May 2007 (S/AC.50/2007/97), Finland informed the Security Council of the measures taken to implement effectively Security Council resolutions 1737 (2006) and 1747 (2007). Further information is provided below concerning the steps taken with a view to implementing the aforementioned Security Council resolutions and Security Council resolution 1803 (2008).

Following the adoption on 23 April 2007 of Common Position 2007/246/CFSP amending Common Position 2007/140/CFSP concerning restrictive measures against Iran, Council Regulation (EC) No. 618/2007 was adopted 5 June 2007 amending Regulation (EC) No. 423/2007. Council Regulation 618/2007 prohibits the provision of technical and financial assistance, financing and investment related to arms and related materiel.

Following the adoption of Security Council resolution 1803 (2008), the Commission of the European Union adopted on 11 March 2008 Commission Regulation 219/2008 amending Council Regulation (EC) No. 423/2007 concerning restrictive measures against Iran. The Commission Regulation amended the list of persons, entities and bodies to whom the freezing of funds and economic resources should apply in accordance with Security Council resolution 1803 (2008).

Preparations are also under way in the Council of the European Union to adopt without delay further acts implementing the additional provisions of Security Council resolution 1803 (2008).

At the national level, sanctions are imposed by virtue of the Act on the Enforcement of Certain Obligations of Finland as a Member of the United Nations and of the European Union ("Sanctions Act", No. 659/1967). The Sanctions Act provides a basis for prompt implementation of the provisions of the EU Council sanctions regulations, which are adopted on the basis of article 60, 301 or 308 of the Treaty establishing the European Community.

The Sanctions Act, together with the Penal Code (No. 39/1889), provides for the penalties and forfeitures to be imposed for violations of Council sanctions regulations. According to chapter 46, section 1 (11) of the Penal Code, a person who violates or attempts to violate a regulatory provision in a sanctions regulation, adopted on the basis of article 60, 301 or 308 of the Treaty establishing the European Community, shall be sentenced for a regulation offence to a fine or to imprisonment for at most four years.

The arms embargoes imposed by the Security Council and the EU are implemented at the national level by virtue of the Act on the Export and Transit of Defence Materiel (Act No. 242/1990, as amended by Acts 197/1995, 893/2001, 385/2002, and 900/2002). According to the Act, the export, transit or brokerage of defence materiel is subject to specific authorization (export and brokerage licence). A licence to export or broker shall not be granted if it jeopardizes Finland's security or is inconsistent with Finland's foreign policy. The General Guidelines for Export, Transit and Brokerage of Defence Materiel adopted by the Government (No. 1000/2002, as amended by Government Decision 101/2003) provide that economic sanctions and arms embargoes imposed by the United Nations Security Council or by the European Union shall be complied with when granting an export licence or licence to the trans-shipment of defence materiel.

According to section 7 of the Act on the Export and Transit of Defence Materiel, a person who commits an export offence shall be fined or imprisoned for a maximum period of four years.